

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

|                           |   |                   |
|---------------------------|---|-------------------|
| HERMAN T. CLARK,          | ) |                   |
|                           | ) |                   |
| Plaintiff,                | ) |                   |
|                           | ) |                   |
| vs.                       | ) | No. CIV-08-0005-C |
|                           | ) |                   |
| LAVONNA BARTLING, et al., | ) |                   |
|                           | ) |                   |
| Defendants.               | ) |                   |

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by the United States Magistrate Judge on February 25, 2009. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and the Court dismisses with prejudice the claims against Defendant Bartling. With respect to the claims against Defendant Wilson, the Court dismisses with prejudice the claims arising under the Fifth Amendment and the official capacity claims for a permanent injunction. The individual capacity claims against Defendant Wilson remain.

IT IS SO ORDERED this 26th day of March, 2009.

  
\_\_\_\_\_  
ROBIN J. CAUTHRON  
United States District Judge